

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JUL 28 2005

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DONALD WAYNE BARKSDALE,	)	
Petitioner,	)	Civil Action No. 7:05cv00463
	)	
v.	)	<u>FINAL ORDER</u>
	)	
TRACY S. RAY,	)	By: Jackson L. Kiser
Respondent.	)	Senior U.S. District Judge

In accordance with the memorandum opinion entered this day, it is hereby

**ADJUDGED and ORDERED**

that Barksdale's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 shall be and hereby is **DISMISSED** and this case shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this order and accompanying memorandum opinion to the petitioner and counsel of record for the respondent, if known.

ENTER: This 28<sup>th</sup> day of July, 2005.

*Jackson L. Kiser*  
Senior U.S. District Judge